

In re Application of HEILBRON et al.
Serial No. 09/609,001

REMARKS

The Office action has been carefully considered. The Office action rejected claims 1- 25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,405,192 B1 to Brown et al. ("Brown") in view of U.S. Patent No. 6,834,372 B1 to Becker et al. ("Becker"). Applicants respectfully disagree.

By present amendment, claims 1, 13, 22, and 25 have been amended for clarification and not in view of the prior art. Applicants submit that the claims as filed were patentable over the prior art of record, and that the amendments herein are for purposes of clarifying the claims and/or for expediting allowance of the claims and not for reasons related to patentability. Reconsideration is respectfully requested.

Prior to discussing reasons why applicants believe that the claims in this application are clearly allowable in view of the teachings of the cited and applied references, a brief description of the present invention is presented.

The present invention is directed to a system and method for retrieving information about web pages before committing to downloading the web pages. A user of a browser may decide whether or not to pursue a link based on information that is displayed when the user maneuvers a cursor over the link with an input pointing device. Maneuvering a cursor over a link is sometimes referred to as "mousing over" a link or "hovering" over a link. In this manner, the user of the browser may read information displayed in an information region near the moused over link in order to decide whether to pursue the link based on the displayed

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information, such as title, keywords, prior browsing history, or other links within the linked web page.

For example, when an initial web page is first fetched, the contents of the initial web page are parsed and displayed through a browser in a well-known manner. Then, each of the links in the initial web page is identified and then contemporaneous information about each of the web pages corresponding to the identified links is obtained from the web pages. This contemporaneous information may be stored and/or updated in a separate local cache, a proxy cache, or a localized server such that the information collected for each of the linked web documents is easily retrieved. Further, historical relational information is assembled that includes at least one relationship between a user and the linked web page. Historical relational information may be a user's last visit to the linked web page, the total number of times that a user has visited the linked web page, whether the web page has changed since the user's last visit, or the likelihood, based on a user's history, that the user will find the linked page useful. The historical relational information may be updated base on the newly fetched contemporaneous information.

After the fetched information about the linked web page itself and the assembling of the relational information about the linked web page is assembled, a user may maneuver a cursor, e.g., as controlled by the mouse, to hover over one of the identified links. Then, an information region containing both the fetched information that was retrieved that corresponds to that particular link and the assembled historical relational information is displayed near the link. Thus, the

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user may make a more informed decision about whether or not to follow the link.

Note that the above description is for example and informational purposes only, and should not be used to interpret the claims, which are discussed below.

Turning to the claims, independent claim 1, as amended, recites a client-side computer-implemented method comprising fetching a current web page, the current web page including one or more links, each link pointing to a web page, fetching contemporaneous information from each linked web page, the information regarding the web page to which each link points, wherein the information is stored separately from the current web page, assembling relational information based on the contemporaneously fetched information from each linked web page and based on previously stored historical information, the relational information including at least one newly generated historical relationship between the contemporaneously fetched information and the previously stored information regarding a user of the client-side computer, displaying the current web page, and, displaying an informational region in response to a cursor hovering over a particular link of the one or more links, the region including the contemporaneous information previously fetched regarding the web page to which the link points and the relational information previously assembled.

The Office action rejected claim 1 as being unpatentable over Brown in view of Becker. More specifically, the Office action contends that Brown teaches fetching a current web page, the current web page including one or more links, each link pointing to a web page. Column 2, lines 15-17, column 6, line 20, column 6, line 66 to column 7, line 2, module 610 of FIG. 6 and module 720 of FIG. 7A of

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Brown are referenced. Further, the Office action contends that Brown teaches fetching information regarding the web page to which each link points, wherein the information is stored separately from the current web page. Column 2, lines 15-17 and column 6, lines 21-27 of Brown are referenced. Further yet, the Office action contends that Brown teaches assembling relational information based on the fetched information. Column 2, lines 15-17, column 6, lines 21-27, and column 7, lines 3-16 of Brown are referenced. Still further, the Office action contends that Brown teaches displaying the current web page. Again, Column 2, lines 15-17, column 6, line 20, and column 6, line 66 to column 7, line 2, module 610 of FIG. 6 and module 720 of FIG. 7A of Brown are referenced. Finally, with respect to claim 1, the Office action contends that Brown teaches displaying an informational region in response to a cursor hovering over a particular link of the one or more links, the region including the information previously fetched regarding the web page to which the link points and the relational information previously assembled. Column 9, lines 46-59 of Brown is referenced.

The Office action concedes that Brown does not teach the relational information including at least one historical relationship between the fetched information and a user of the client-side computer. However, the Office action maintains that Becker does teach this limitation and concludes that one skilled in the art at the time the invention was made would have found obvious the recitations for claim 1 because avoiding the pitfalls of selecting certain hyperlinks ultimately helps computer users improve their time efficiency while utilizing the Internet. Applicants respectfully disagree.

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To establish *prima facie* obviousness of a claimed invention, all of the claim recitations must be taught or suggested by the prior art; (*In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)), and "all words in a claim must be considered in judging the patentability of that claim against the prior art;" (*In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)). Further, if prior art, in any material respect teaches away from the claimed invention, the art cannot be used to support an obviousness rejection. *In re Geisler*, 116 F.3d 1465, 1471, 43 USPQ2d 1362, 1366 (Fed Cir. 1997). Moreover, if a modification would render a reference unsatisfactory for its intended purpose, the suggested modification / combination is impermissible. See MPEP § 2143.01.

Applicants submit that a *prima facie* case for obviousness has not been met and/or cannot be maintained. Significantly, Brown and Becker do not teach or suggest the concept of fetching contemporaneous information and generating a new historical relationship based on both the newly fetched contemporaneous information and previously stored historical information. Notwithstanding applicants disagreement with the rejection detailed in the Office action, claim 1 has been amended to more specifically include additional subject matter that is not taught by Brown or Becker. For example, claim 1 essentially recites assembling relational information based on the contemporaneously fetched information from each linked web page, and based on previously stored historical information, that the relational information includes at least one newly generated historical relationship between the contemporaneously fetched information and the previously stored information regarding a user of the client-side computer.

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In contrast, Brown is directed, generally, to a system and method for browsing the Internet such that when a web page is being presented, a background thread is able to parse the web page for a set of links. Each web page linked to the initial web page is then retrieved, and then also parsed for one or more items matching a user's predetermined set of criteria. For example, a user may wish to parse each linked web page to find any reference to "puppy dogs". As such, when references are found that match the user's criteria, the initial web page is actually changed to indicate that criteria has been matched. For example, if a linked web page was found to be all about puppy dogs, the link to that web page on the initial web page may blink brightly or become larger than normal. Brown, however, falls short of anything at all related to dealing with historical information.

Becker, in general, discloses a system and method for presenting a certain kind of historical information about hyperlinks shown on web pages. In one disclosed method, the system accesses a database that stores past web browsing data about a particular group of users. In particular, when a user mouses over a hyperlink, the database may be accessed and certain information, such as whether or not the user has visited the web page before, may be displayed. Becker, however, does not teach accessing the web page to which the hyperlink is pointing. Furthermore, Becker cannot distinguish between historical information and contemporaneous information and thus cannot generate any new information based on these two sets of information.

In contrast to the prior art of record, claim 1 recites fetching contemporaneous information from each linked web page, the information

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regarding the web page to which each link points, wherein the information is stored separately from the current web page and assembling relational information based on the contemporaneously fetched information from each linked web page and based on previously stored historical information, the relational information including at least one newly generated historical relationship between the contemporaneously fetched information and the previously stored information regarding a user of the client-side computer. Using contemporaneous information and historical information to generate a new historical relationship for display is not taught or suggested by the prior art of record. Applicants submit that claim 1 is allowable over the prior art of record for at least the foregoing reasons.

Applicants respectfully submit that dependent claims 2-12 by similar analysis are allowable. Each of these claims depends either directly or indirectly from claim 1 and consequently includes the recitations of independent claim 1. As discussed above, Brown and Becker, whether considered individually or in any permissible combination with each other or any other prior art of record, fail to teach or suggest the recitations of claim 1 and, therefore, these claims are also allowable over the prior art of record. In addition to the recitations of claim 1 noted above, each of these dependent claims includes additional patentable elements.

As but one example, claim 6 recites that the relational information includes at least information based on a user's relationship to the web page. As discussed above, Brown simply does not teach or even show any appreciation of the concept of historical relational information let alone a user's relationship to a web page as recited in claim 6. Becker does not cure this deficiency, as Becker cannot generate

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any new historical relationships based on contemporaneous information.

Applicants submit that for at least this additional reason, claim 6 is allowable over the prior art of record.

Turning to the next independent claim, amended claim 13 recites a machine-readable medium having instructions stored thereon for execution by a client processor to perform a method comprising fetching a current web page, the current web page including one or more links, each link pointing to a web page, fetching contemporaneous information from each linked web page, the information regarding the web page to which each link points, wherein the information is stored separately from the current web page, assembling relational information based on the contemporaneously fetched information from each linked web page and based on previously stored historical information, the relational information including at least one newly generated historical relationship between the contemporaneously fetched information and the previously stored information regarding a user of the client-side computer, displaying the current web page, and displaying an informational region, in response to a cursor hovering over a particular link of the one or more links, the region including the contemporaneous information previously fetched regarding the web page to which the link points and the relational information previously assembled.

The Office action rejected claim 13 as being unpatentable over Brown in view of Becker, for identical reasons to those that the Office action detailed in the rejection of claim 1. However, claim 13 is somewhat similar to claim 1, and thus for

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at least the same reasons discussed above with respect to claim 1, claim 13 is allowable over the prior art of record.

Further, applicants respectfully submit that dependent claims 14-21 are allowable. Each of these claims depends either directly or indirectly from claim 13 and consequently includes the recitations of independent claim 13. As discussed above, Brown and Becker, whether considered individually or in any permissible combination with each other or any other prior art of record, fail to teach or suggest the recitations of claim 13 and, therefore, dependent claims 14-21 are also allowable over the prior art of record. In addition to the recitations of claim 13 noted above, each of these dependent claims includes additional patentable elements.

Turning to the next independent claim, amended claim 22 recites, a computerized system comprising at least one first entity storing web pages, at least one second entity separate from the first entity storing information regarding the web pages, and, at least one client, each client able to browse web pages such that fetching of a web page having one or more linked web pages from at least one first entity causes the fetching of contemporaneous information from each of the one or more linked web pages about the one or more linked web pages from at least one second entity and causes the assembling of relational information based on the contemporaneously fetched information and based on previously stored historical information, the relational information including at least one newly generated historical relationship between the contemporaneously fetched information and the previously stored information regarding a user of the client-side

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computer, the and the client further operable such that positioning of a cursor over a link of a current web page causes display of an informational region including information regarding a web page to which the link points as stored on the at least one second entity and causes display of the assembled relational information.

The Office action rejected claim 22 as being anticipated by Brown. Again, the Office action presented identical reasons in the rejection of claim 22 as were presented for the rejection of claim 1. Applicants respectfully disagree.

As correctly acknowledged by the Office action, nowhere does Brown teach the concept of assembling historical relational information between the linked web pages and the user. Notwithstanding whether the contention that Becker may teach assembling some kind of historical data with regard to a user and a particular web site has any merit, Becker falls short of teaching or even suggesting generating a new relationship each time a user may come into contact with a particular web page such that the new relationship is based on not only the previously stored historical relationship but also contemporaneously retrieved new information. That is, neither Brown nor Becker teaches or suggests the concept of assembling relational information based on the contemporaneously fetched information and based on previously stored historical information, the relational information including at least one newly generated historical relationship between the contemporaneously fetched information and the previously stored information regarding a user of the client-side computer as recited in claim 22. For at least these additional reasons, applicants submit that claim 22 is allowable over the prior art of record.

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Applicants respectfully submit that dependent claims 23-24 by similar analysis are allowable. Both of these claims depend directly from claim 22 and, consequently, include the recitations of independent claim 22. As discussed above, Brown and Becker, whether considered individually or in any permissible combination with each other or any other prior art of record, fail to teach or suggest the recitations of claim 22 and, therefore, these claims are also allowable over the prior art of record. In addition to the recitations of claim 22 noted above, each of these dependent claims includes additional patentable elements.

Turning to the last independent claim, amended claim 25 recites a computerized system comprising, at least one first entity capable of storing web pages, at least one second entity capable of providing summaries of the web pages, wherein the summaries include at least one historical relationship between a user of the first entity and a web page stored on the first entity, at least one third entity capable of providing for a given web page stored by the first entity, a list of all links on the web page and for each of the links, the corresponding summary, provided by the second entity, and, at least one client, each able to browse web pages such that fetching of a web page from the at least one first entity causes fetching contemporaneous information provided by the third entity and such that positioning of a cursor over a link of a current web page causes display of an informational region including at least one newly generated historical relationship that is based on previously stored historical information and the contemporaneously fetched information regarding a web page to which the link points.

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The Office action rejected claim 25 as being anticipated by Brown. Again, identical reasons were given in the rejection of claim 25 as were given for the rejection of claim 1. Applicants respectfully disagree.

Once again, as correctly acknowledged by the Office action, nowhere does Brown teach the concept of assembling historical relational information between the linked web pages and the user. Regardless of whether Becker may or may not teach assembling some kind of historical data with regard to a user and a particular web site, the fact remains that Becker falls short of teaching or even suggesting generating any new relationships when a user may come into contact with a particular web page such that the new relationship is based on not only the previously stored historical relationship but also contemporaneously retrieved new information. This is because Becker does not teach gathering any new contemporaneous information from the newly accessed web page or web pages.

In terms of claim 25, neither Brown nor Becker teaches or suggests fetching contemporaneous information provided by the third entity and such that positioning of a cursor over a link of a current web page causes display of an informational region including at least one newly generated historical relationship that is based on previously stored historical information and the contemporaneously fetched information regarding a web page to which the link points. For at least these additional reasons, applicants submit that claim 25 is allowable over the prior art of record.

For at least the foregoing reasons in the remarks, applicants submit that all the claims are patentable over the prior art of record. Reconsideration and

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**withdrawal of the rejections in the Office action is respectfully requested and early
allowance of this application is earnestly solicited.**

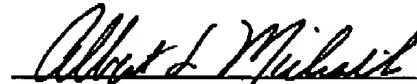
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CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 1-25 are patentable over the prior art of record, and that the application is in good and proper form for allowance. A favorable action on the part of the Examiner is earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (425) 836-3030.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Amendment, along with transmittal, petition for extension of time, credit card payment form, and facsimile cover sheet, are being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) on the date shown below:

Date: January 23, 2005



Albert S. Michalik

2920 Fourth Amendment